

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

OP.No. 34858 of 2000(Y)

PETITIONER:

KERALA HOMOEOPATHIC MEDICAL GRADUATES ASSOCIATION,
REGISTRATION NO. 154/87, LAYAM ROAD,
THRIKKUNITHUR, ERNAKULAM DIST. ,
REP. BY GENERAL SECRETARY, DR. V.K. AJITH KUMAR.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

RESPONDENTS:

1. THE STATE OF KERALA, REP. BY THE SECRETARY,
HEALTH AND FAMILY WELFARE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DIRECTOR OF HOMOEOPATHY, DIRECTORATE,
THIRUVANANTHAPURAM.
3. THE KERALA PUBLIC SERVICE COMMISSION, REP. BY
THE SECRETARY, PATTOM, THIRUVANANTHAPURAM.
4. ANIL KUMAR, GOVT. HOMOEOPATHIC DISPENSARY,
PAZHAYARIKANDAM, IDUKKI DIST.
5. NOORUDHEEN KUTTY, MEDICAL OFFICER,
GOVT. HOMOEOPATHIC DISPENSARY, NAMBARATHUKAVU,
KOZHIKODE.
6. R.E. PRASANTH, MEDICAL OFFICER, GOVT. HOMOEOPATHIC
DISPENSARY, CHADAYAMANGALAM.
7. P.C. SREELATHA, MEDICAL OFFICER, GOVT. HOMOEOPATHIC
DISPENSARY, PALAKKADU.
8. V.K. BINDHU, MEDICAL OFFICER, MARUTHA ROAD,
PALAKKADU.

Tga

OP NO. 34858/2000

9. **A.R. KUNJAPPAN, MEDICAL OFFICER, GOVT. HOMOEOPATHIC DISPENSARY, PONMALA, MALAPPURAM.**
10. **V.P. RUGMINI AMMA, MEDICAL OFFICER, GOVT. HOMOEOPATHIC HOSPITAL, PALAKKADU.**
11. **A.M. JAMEELA BEEVI, MEDICAL OFFICER, GOVT. HOMOEOPATHIC DISPENSARY, PANDIKKADU, MALAPPURAM.**
12. **B. SULOCHANA DEVI, MEDICAL OFFICER, PULPATTU, MALAPPURAM.**

**BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC
GOVERNMENT PLEADER SMT. SMITHA SUKUMARAN**

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

tga

OP NO. 34858/2000 Y

ORDER ON CMP NO. 59550/2000 IN OP NO. 34858/2000 Y.

DISMISSED

12/09/2007.

SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE NOTIFICATION PUBLISHED BY THE GOVT. GO MS NO. 111/89/H & FWD DT. 17/5/89.

EXT.P2. COPY OF THE AMENDED NOTIFICATION NO GO P NO. 185/99/H & FWD DT. 27/5/99 BY THE GOVT. OF KERALA.

EXT.P3. COPY OF THE PROCEEDINGS BY THE DIRECTOR OF HOMOEOPATHY DT. 18/12/95 NO. E4/11469/95/DH.

EXT.P4. COPY OF THE NOTIFICATION SHOWING THE QUALIFICATION PRESCRIBED BY THE KPSC FOR THE POST OF PHARMACIST (HOMOEOPATHY) DT. 27/10/98.

EXT.P5. COPY OF THE ORDER BY THE R2 NO. 1317/EA1/2000/DATED 10/8/00.

RESPONDENT'S EXHIBITS NIL.

True copy

tga

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.34858 OF 2000

Dated this the 12th day of September, 2007

JUDGMENT

The petitioner is an association of Homeo Medical Graduates. This writ petition is filed in December, 2000 complaining that adhoc temporary appointments are made by recourse to Rule 9 (a) (1) of the General Rules from among Pharmacists, Nurses etc. while medical graduates stand without employment.

2. Though service of notice on the private respondents have not been carried out, I do not find that at this distant point of time, it would be appropriate to interfere with the impugned Ext.P5.

In the aforesaid circumstance, this writ petition is disposed of directing that any complaint of the petitioner regarding non maintenance of appropriate ratio will be adverted to and

considered by the Government and the Public Service Commission, as may be necessary, in accordance with law.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

k kb.

OP.34858/00

Page numbers

=====

THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.34858 OF 2000

JUDGMENT

12th SEPTEMBER, 2007.

=====